Murder will Out:

OR, THE

KING'S LETTER,

Justifying the

MARQUESS of *ANTRIM*,

And declaring, That what he did in the *Irish Rebellion*, was by Direction from his Royal *Father* and *Mother*, and for the Service of the Crown.

Hib. 5. 689. 1

CAMBRIDGE UNIVERSITY 1886

Be astonished, O ye Heavens, at this, and be ye horribly afraid, be ye very desolate, saith the Lord, Jer. 2. 12.

For there is nothing covered that shall not be revealed, nor any thing hid which shall not be known, or *come abroad,* Mat. 10. 26.

London, Printed 1689.

07 – 1537

Ireland, Aug. 22. 1663.

Ever honoured Sir,

LAſt *Thurſday* we came to Tryal with my Lord Marqueſs of *Antrim*, but according to my Fears (which you always ſurmiſed to be in vain) he was by the King's Extraordinary and Peremptory *LETTER of Favour* reſtored to his Eſtate, as *an Innocent Papiſt.* We proved Eight Qualifications in the *Act of Settlement* againſt him, the leaſt of which made him uncapable of being reſtored as *Innocent.* We proved,

1. *That he was to have a hand in ſurprizing the Caſtle of* Dublin, *in the year*, 1641.

2. *That he was of the Rebels party before the* 15*th. of* September, 1643. *which we made appear by his hourly and frequent intercourſe with* Renny O Moore, *and many others; being himſelf the moſt notorious of the ſaid Rebels.*

3. *That he entered into the Roman-Catholick Confederacy before the Peace in* 1643.

4. *That he conſtantly adhered to the* Nunctio's *Party, in oppoſition to his Majeſties Authority.*

5. *That he ſate from time to time in the Supream Council of* Kilkenny.

6. *That he ſigned that execrable Oath of Aſſociation.*

7. *That he was Commiſſionated, and acted as Lieutenant General, from the ſaid Aſſembly at* Kilkenny.

 8. *That*

8. *That he declared by ſeveral Letters of his own penning, himſelf in Conjunction with* Owen Ro Oneale, *and a conſtant Oppoſer to the ſeveral Peaces, made by the Lord Lieutenant with the* Iriſh.

We were ſeven hours by the Clock in proving our Evidence againſt him, but at laſt the King's *Letter* being opened, and read in Court, *Rainsford*, one of the Commiſſioners, to us, *That the King's Letter on his behalf was Evidence without Exception*, and thereupon declared him to be an *Innocent Papiſt*.

This Cauſe (Sir) hath (though many Reflections have paſſed upon the Commiſſioners before) more ſtartled the Judgments of all Men, than all the Tryals ſince the beginning of their ſitting; and it is very ſtrange and wonderful to all of the *Long Robe*, that the King ſhould give ſuch a *Letter*, having diveſted himſelf of that Authority, and repoſed the Truſt in the Commiſſioners for that Purpoſe: And likewiſe it is admired, that the Commiſſioners having taken ſolemn Oaths, *To execute nothing but according to, and in purſuance of the Act of Settlement*, ſhould, barely upon his Majeſties Letter, declare the Marqueſs *Innocent*.

To be ſhort; there never was ſo great a Rebel, that had ſo much favour from ſo good a King: And it is very evident to me, though young, and ſcarce yet brought upon the ſtage, that the conſequence of theſe things will be very bad; and if God of his extraordinary Mercy do not prevent it, War, and (if poſſible)

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greater Judgments, cannot be far from us; where Vice is Patroniz'd, and *Antrim*, a Rebel upon Record, and ſo lately and clearly proved one, ſhould have no other colour for his Actions but the Kings *own Letter*; which takes all Imputations from *Antrim*, and lays them totally upon his *own Father*.

Sir, I ſhall by the next, if poſſible, ſend you over one of our Briefs againſt my Lord, by ſome Friend: It's too large for a Pacquet, it being no leſs in bulk than a Book of Martyrs. I have no more at preſent, but refer you to the *King's Letter*, hereto annexed.

CHARLES R.

RIght Truſty and well-beloved Couſins and Counſellors, *&c.* We greet you well. How far we have been from interpoſing on the behalf of any of our *Iriſh* Subjects, who by their miſcarriages in the late Rebellion in that Kingdom of *Ireland*, had made themſelves unworthy of Our Grace and Protection, is notorious to all Men, and We were ſo jealous in that particular, that ſhortly after Our return into this Our Kingdom, when the Marqueſs of *Antrim* came hither to preſent his duty to Us, upon the Information We received from thoſe Perſons who then attended us, by a Deputation from Our Kingdom of *Ireland*, or from thoſe who at that time owned our Authority there, that the Marqueſs of *Antrim* had ſo miſ-behaved himſelf towards Us, and Our late Royal Father of bleſſed memory, that he was in no degree worthy of the leaſt Countenance from Us, and that they had manifeſt and unqueſtionable Evidence of ſuch his guilt. Whereupon we refuſed to admit the ſaid Marqueſs ſo much as into Our Preſence, but on the contrary committed him Priſoner to our Tower of *London*; where after he had continued ſeveral Months under a ſtrict reſtraint, upon the continued Information of the ſaid Perſons, We ſent him into *Ireland*, without interpoſing the leaſt on his behalf, but left him to undergo

undergo ſuch a Tryal and Puniſhment, as by the Juſtice of that Our Kingdom ſhould be found due to his Crime, expecting ſtill that ſome heinous Matter would be objected and proved againſt him, to make him uncapable, and to deprive him of that Favour and Protection from Us, Which we knew his former Actions and Services had merited. After many months attendance there, and (We preſume) after ſuch Examinations as were requiſite, he was at laſt diſmiſſed without any Cenſure, and without any tranſmiſſion of Charge againſt him to Us, and with a Licence to tranſport himſelf into this Kingdom; We concluded that it was then time to give him ſome inſtance of Our Favour, and to remember the many Services he had done, and the Sufferings he had undergone, for his Affections and Fidelity to Our Royal Father and Our Self, and that it was time to redeem him from thoſe Calamities, which yet do lie as heavy upon him ſince, as before our happy Return; And thereupon We recommend him to you Our Lieutenant, that you ſhould move Our Council there, for preparing a Bill to be tranſmitted to Us, for the Re-inveſting him the ſaid Marqueſs, into the Poſſeſſion of his Eſtate in that Our Kingdom, as had been done in ſome other Caſes. To which *Letter*, you Our ſaid Lieutenant returned us anſwer, That you had informed Our Council of that Our *Letter*, and that you were upon conſideration thereof, unanimouſly of Opinion, that ſuch a Bill ought not to be tranſmitted to Us, the Reaſon whereof would forthwith be preſented to Us from Our Council. After which time We received the incloſed *Petition* from the ſaid Marqueſs, which VVe referred to the conſiderations and examinations of the Lords of Our Privy Council, whoſe Names are mentioned in that Our *Reference*, which is annexed to the ſaid *Petition*, who thereupon met together, and after having heard the Marqueſs of *Antrim*, did not think fit to make any Report to Us, till they might ſee and underſtand the Reaſons which induced you not to tranſmit the Bill VVe had propoſed, which *Letter* was not then come to Our Hands: After which time VVe have received your *Letter* of the 18*th*. of *March*, together with ſeveral *Petitions* which had been preſented to you, as well from the Old *Souldiers* and *Adventurers*, as from the Lady *Marchioneſs* of *Antrim*, all which we likewiſe tranſmitted to the Lords *Referees*; Upon a ſecond *Petition* preſented to Us by the Lord Marqueſs, which is here likewiſe encloſed, commanding Our ſaid *Referees* to take the ſame into their ſerious conſideration, and to hear what the Petioner had to offer in his own Vindication, and to report the whole matter to Us, which upon a third *Petition* herein likewiſe incloſed, VVe required them to expedite with what ſpeed

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they could. By which deliberate Proceedings of ours you cannot but observe, that no importunity, how just soever, could prevail with Us to bring Our Self to a Judgment in this Affair, without very ample Information. Our said *Referees*, after several Meetings, and perusal of what hath been offered to them by the said Marquess, have reported unto Us, That they have seen several *Letters*, all of them the hand-writing of Our Royal Father to the said Marquess, and several *Instructions* concerning his treating and joining with the *Irish*, in order to the King's Service, by reducing to their Obedience, and by drawing some Forces from them for the Service of *Scotland*. That besides the *Letters* and *Orders* under His Majesties Hand, they have received sufficient Evidence and Testimony of several private Messages and Directions sent from Our Royal *Father*, and from Our Royal *Mother*, with the privity and with the Directions of the King Our *Father*, by which they are persuaded, that whatever Intelligence, Correspondence or Actings, the said Marquess had with the Confederate *Irish Catholicks*, was directed or allowed by the said *Letters*, *Instructions* and *Directions*; and that it manifestly appears to them, that the King our Father, was well pleased with what the Marquess did, after he had done it, and approved the same.

This being the true state of the Marquess his Case, and there being nothing proved upon the first Information against him, nor any thing contained against him in your Letter of *March* 18. but that you were informed, he had put in his Claim before the Commissioners appointed for executing the *Act of Settlement*; and that if his Innocency be such as is alledged, there is no need of transmitting such a Bill to Us as is desired; and that if he be *Nocent*, it consists not with the Duty which you owe to Us, to transmit such a Bill, as if it should pass into a Law, must needs draw a great Prejudice upon so many Adventurers and Souldiers, which are, *as is alledged*, to be therein concerned. We have considered of the *Petition* of the *Adventurers* and *Souldiers*, which was transmittd to Us by You, the Equity of which consists in nothing, but that they have been peaceably in Possession for the space of seven or eight years, of those Lands which were formerly the Estate of the *Marquess* of *Antrim*, and others, who were all engaged in the late *Irish* Rebellion; and that they shall suffer very much and be ruined, if those Lands should be taken from them. And We have likewise considered another *Petition* from several Citizens of *London*, near sixty in number, directed to Our Self, wherein they desire, That the *Marquess* his Estate may be made liable to the payment of his just Debts, that so they may not be ruined in the favour

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of the present Possessors, who (they say) are but a few Citizens and Souldiers, who have disbursed very small Sums thereon. Upon the whole matter no man can think We are less engaged by Our Declaration, and by the Act of Settlement, to protect those who are *Innocent*, and who have faithfully endeavoured to serve the *Crown*, how unfortunate soever, than to expose to Justice those who have been really and maliciously *guilty*. And therefore we cannot in Justice, but, upon the *Petition* of the *Marquess* of *Antrim*, and after the serious and strict Inquisition into his Actions, declare unto you, That We do find him *Innocent* from any malice or Rebellious Purpose against the Crown; and that what he did by way of Correspondence or Compliance with the *Irish* Rebels, was in order to the Service of Our Royal *Father*, and warranted by his Instructions, and the Trust reposed in him, and that the benefit thereof accrued to the Service of the Crown, and not to the particular advantage and benefit of the *Marquess*. And as We cannot in justice deny him *this Testimony*, So We require You to transmit Our *Letter* to Our Commissioners, that they may know Our Judgments in this Case of the Lord of *Antrim*, and proceed accordingly. And so We bid you heartily farewel.

Given at Our Court at White-Hall, *July* 10. *in the* 15th *Year of our Reign*, 1683.

By His Majesties Command,

HENRI BENNET.

To Our Right Trusty and Right entirely Well-beloved Cousin and Counsellor, James *Duke of* Ormond, *Our Lieutenant General, and General Governour of Our Kingdom of* Ireland; *and to the Lords of Our Council of that Our Kingdom.*

Entered at the Signet Office, *July* 13. 1683.